

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	Case No. 2:22-cv-293-JRG
vs.)	
)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS CO., LTD.,)	
SAMSUNG ELECTRONICS AMERICA,)	
INC., SAMSUNG SEMICONDUCTOR,)	
INC.,)	
Defendants.)	
)	

NOTICE OF JURY VERDICT IN FAVOR OF PLAINTIFF NETLIST, INC.

Plaintiff Netlist, Inc. submits this notice informing the Court of the unanimous jury verdict entered in *Netlist, Inc. v. Samsung Elec. Co., Ltd.*, No. 20-cv-993-MCS-ADS, Dkt. 556 (C.D. Cal. May 17, 2024) (the “CDCA Action”). A copy of the jury verdict is attached as Exhibit A. On May 17, 2024, following a four-day trial before the Honorable Mark C. Scarsi, a jury in the Central District of California found that: (1) Defendant Samsung Electronics Co., Ltd. (“Samsung”) “agreed to supply NAND and DRAM products to Netlist without limitation to the parties’ NVDIMM-P joint development project on Netlist’s request at a competitive price;” and (2) Samsung materially breached Section 6.2 of the Joint Development and License Agreement (“JDLA”). Ex. A at 3. There is no dispute that Netlist’s termination of the JDLA was effective in light of the material breach. CDCA Action, Dkt. 186 (Summary Judgment Order) at 18 (“Netlist Complied with the Termination Term”).

Dated: May 18, 2024

Respectfully submitted,

/s/ Jason G. Sheasby

Samuel F. Baxter
Texas State Bar No. 01938000
sbaxter@mckoolsmith.com
Jennifer L. Truelove
Texas State Bar No. 24012906
jtruelove@mckoolsmith.com
MCKOOL SMITH, P.C.
104 East Houston Street Suite 300
Marshall, TX 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099

Jason G. Sheasby (*pro hac vice*)
jsheasby@irell.com
Annita Zhong, Ph.D. (*pro hac vice*)
hzhong@irell.com
Andrew J. Strabone (*pro hac vice*)
astrabone@irell.com
Yanan Zhao (*pro hac vice*)
yzhao@irell.com
Michael W. Tezyan (*pro hac vice*)
mtezyan@irell.com

IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067
Tel. (310) 277-1010
Fax (310) 203-7199

Attorneys for Plaintiff Netlist, Inc.

CERTIFICATE OF SERVICE

I hereby certify that, on May 18, 2024, a copy of the foregoing was served to all counsel of record via the ECF/CM system.

/s/ Yanan Zhao
Yanan Zhao